

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

PIETZ,

Plaintiff,

v.

BOROUGH OF HASBROUCK
HEIGHTS, et al.,

Defendant,

Civil Action No. 2:23-cv-00196 (JKS)
(ESK)

ORDER

SEMPER, District Judge.

This matter comes before the Court on Magistrate Judge Edward S. Kiel's Report and Recommendation ("R&R"), issued on February 8, 2024, granting in part and denying in part defendant Borough of Hasbrouck Heights' motion to enforce the settlement agreement and for leave to file an application for the award of counsel fees and costs (Motion) (ECF No. 35) against Plaintiff. Plaintiff Elizabeth Pietz filed opposition to the Motion (ECF No. 37) and defendant filed a reply to the opposition (ECF No. 41). No objections to the R&R have been filed. This Court has considered Judge Kiel's R&R, and for substantially the same reasons stated therein,

IT IS on this 19th day of March, 2024,

ORDERED that the Motion (ECF 35) is **GRANTED in part and DENIED in part** in accordance with Judge Kiel's R&R; and it is further

ORDERED that this Court adopts Judge Kiel's February 8, 2024, R&R (ECF 43) that (a) defendant is required to pay plaintiff \$37,500.00; (b) defendant is required to make such payment to plaintiff within 30 days of this order; (c) plaintiff is required to release all claims against defendant following receipt and clearance of payment; (d) defendant is required to pay for the

costs of the mediation between the parties; and (e) defendant's request for leave to file an application for the award of legal fees and costs is denied.

SO ORDERED.

s/ **Jamel K. Semper**
JAMEL K. SEMPER, U.S.D.J.